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HIGH COURT OF CHHATTISGARH: BILASPUR
WRIT PETITION (S) NO. 25 OF 2007

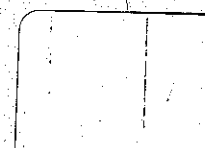
PETITIONERS

- 1) Minketan Rana, S/o. Shri Purnachandra Rana, aged about 42 years, Occupation - Service, Posted as Assistant teacher, posted at Primary School Puchhkiyapali, Vikash Khand, Kharsiya, Dist. Raigarh, CG.
- 2) Dileshwar Prasad Rathiya, S/o. Shri Jogiram Rathiya, aged about 42 years, Occupation - Service posted as Assistant Teacher, Pre Metrics School Tandapara, Vikash Khand, Kharsiya, Dist. Raigarh, CG.
- 3) Mukund Ram Jaiswal, S/o. Shri Deviprasad Jaiswal, aged about 44 years, Occupation - Service posted as Assistant Teacher, Primary School Choda, Vikash Khand, Kharsiya, Dist. Raigarh, CG.
- 4) Nand Kumar Dansena, S/o. Shri Janak Ram Dansena, aged about 46 years, occupation - Service posted as Assistant Teacher, High School Telikoat, Vikash Khand, Kharsiya, Dist. Raigarh, CG.
- 5) Sushil Chandra Patel, S/o. Shri Ganesh Ram Patel, aged about 43 years, occupation - Service posted as Assistant Teacher, High School Telikoat, Vikash Khand, Kharsiya, Dist. Raigarh, CG.
- 6) Shivshanker Patel, S/o. Shri Ganesh Ram Patel, aged about 41 years, occupation - Service posted as Assistant Teacher, High School Telikoat, Vikash Khand, Kharsiya, Dist. Raigarh, CG.

Versus

RESPONDENTS

- 1) The State of Chhattisgarh, through the Secretary, Department of School Education, D.K.S. Building, Raipur, CG.



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- 2) The Commissioner, Department of Tribal Welfare Development, Raipur, Dist. Raipur, CG.
 - 3) The Director, Public Instruction Pension Bada, Raipur, Dist. Raipur, CG.
 - 4) District Education Officer, Raigarh, Dist. Raigarh, CG.

Single Bench: Hon'ble Shri Justice Satish K. Agnihotri

PRESENT:

Shri Sunil Sahu, counsel for the petitioners.
Smt. Anju Ahuja, Deputy Govt. Advocate for respondents/State.

ORAL ORDER
(Passed on 11th April, 2007)

1. Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the fact and question of law involved in the present writ petition are the same to that of in **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another { 2006 (II) MPJR -CG 96}**, which has been disposed of vide order dated 3-4-2006. Learned counsel appearing for the respondents does not controvert the said submission.
2. In subsequent cases, i.e., Writ Petition (S) No. 4139 of 2005 (**Gopesh Kumar Verma Vs. The State Govt. of Chhattisgarh and another**) and other connected matters, decided by this Court on 15-12-2006, pursuant to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute i.e., B.T.I., has been changed and renamed as Diploma in Education, i.e., D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S) No. 4130 of 2005 (**Gopesh Kumar Verma Vs. The State Govt. of Chhattisgarh and another (supra)**).

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3. Accordingly, the writ petition is allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (supra), subject to verification of the fact as to whether the petitioner has acquired D.Ed. Examination Certificate on his own expenses as per the circulars dated 24-12-1998 and 1-3-1999 and further whether he has been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Raju